

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

THOMAS CULLINAN, Individually and
On Behalf of All Others Similarly Situated,

Plaintiffs,

v.

CEMTREX, INC., SAAGAR GOVIL,
ARUN GOVIL and RENATO DELA
RAMA,

Defendants.

Consolidated Case No.: 2:17-cv-01067

Judge Joseph F. Bianco

**NOTICE OF LEAD PLAINTIFFS' MOTION FOR
FINAL APPROVAL OF CLASS ACTION SETTLEMENT
AND PLAN OF ALLOCATION OF SETTLEMENT PROCEEDS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Lead Plaintiffs' Motion for Final Approval of Class Action Settlement and Plan of Allocation of Settlement Proceeds, dated May 1, 2019, the accompanying Declaration of Shannon L. Hopkins, dated May 1, 2019, the exhibits annexed thereto, all prior papers and proceedings herein, and such additional evidence or argument as may be presented at or before the hearing, plaintiffs Umang Khetarpal, Benjamin Webb, Gang Chen, Timothy Heath, and Minh Nguyen (collectively, "Lead Plaintiffs"), by and through their undersigned counsel, will respectfully move this Court, before the Honorable Joseph F. Bianco, United States District Judge for the Eastern District of New York, on May 22, 2019 at 1:30 p.m., at the United States District Court for the Eastern District of New York, Courtroom 1040, 100 Federal Plaza, Central Islip, NY 11722, for entry of an Order (1) certifying the proposed Settlement Class for settlement purposes only, (2) approving the terms and conditions of the proposed Stipulation and Agreement of Settlement, dated December 21, 2018, as fair, reasonable, and adequate for settlement of all claims asserted by the Settlement Class against Defendants; (3) approving the proposed Plan of Allocation as a fair and reasonable method to

allocate the Net Settlement Fund among Settlement Class Members, and (4) entering Final Judgment dismissing this Action with prejudice.

DATED: May 1, 2019

Respectfully Submitted,

LEVI & KORSINSKY LLP

/s/Shannon L. Hopkins

Shannon L. Hopkins
Sebastiano Tornatore
1111 Summer Street, Suite 403
Stamford, CT 06905
Tel.: (203) 992-4523
Fax: (212) 363-7171
Email: shopkins@zlk.com
stornatore@zlk.com

*Counsel for the Cemtrex Investor Group and Lead
Counsel for the [Proposed] Settlement Class*

BRAGAR EAGEL & SQUIRE, P.C.

Lawrence P. Eagel
Melissa A. Fortunato
885 Third Avenue, Suite 3040
New York, New York 10022
Tel.: (212) 355-4648
Fax: (212) 214-0506
Email: eagel@bespc.com
fortunato@bespc.com

*Additional Counsel for the Cemtrex Investor
Group*

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of May, 2019, a true and correct copy of the foregoing document was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/Shannon L. Hopkins

Shannon L. Hopkins